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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,031	11/20/2003	Nova Spivack	15561-019001	2540

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EXAMINER
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FLEURANTIN, JEAN B

ART UNIT	PAPER NUMBER
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2162

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/720,031	<b>Applicant(s)</b> SPIVACK ET AL.	
	<b>Examiner</b> JEAN B. FLEURANTIN	<b>Art Unit</b> 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 July 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
- 1. ☐ Certified copies of the priority documents have been received.
  - 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/27/2007 has been entered.

The following is the status of claims:

Claim 1 has been canceled.

Claims 2-28 have been added.

Claims 2-28 are presented for examination.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 2-28 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

As set forth in MPEP 2106:

As per independent claim 2

The independent claim 2 is directed to a method creating a semantic object, in which representing a target referent. Therefore, the mechanism for integrating documents with existing file servers, search engines, semcards embody metadata about their target reference as the purpose of the invention. The claimed subject matter lacks a practical application of a judicial exception (law of nature,

abstract idea, naturally occurring article/phenomenon) since it fails to produce a useful and tangible result.

All the dependent claims are rejected under the same rational.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S Patent No. 6,513,059 issued to Gupta et al., ("Gupta") in view of U.S Patent No. 5,809,297 issued to Kroenke et al., ("Kroenke").

As per claim 2, Gupta discloses "a computer-implemented method of representing a target referent, the method comprising: identifying a target referent" (i.e., context node (entity); see col. 4, line 49);

"to represent the target referent in a computer system having stored therein a plurality of semantic objects representing respective target referents" (see col. 12, lines 61-65), "using a semantic object type selected from an ontology of semantic object types" (i.e., ontology is specified by rules; see col. 6, lines 41-45);

"analyzing the content relative to content in at least one of the plurality of semantic objects" (i.e., template specifies the topics of concern; see col. 11, lines 30-36); and

"creating an association between any of the at least one of the plurality of semantic objects based on the analysis" (i.e., similarities between events and objects (entities); see col. 6, lines 46-51).

Gupta fails to explicitly disclose including in the created semantic object content relating to the target referent. However, Kroenke discloses created semantic object (see Kroeke col. 5, lines 29-30). It

would have been obvious to a person ordinary skill in the art at the time the invention was to modify the method of Gupta by creating a semantic object disclosed by Kroeke (see Kroeke col. 5, line 26-29). Such a modification would allow the method of Gupta to provide a user to create semantic object data models to represent any kind of information that the user desires to store in a database (see Kroeke col. 5, line 26-29), a user to define a formula interpreted in a way that makes semantic sense to the user (see Kroeke col. 22, lines 52-55), thereby, improving the accuracy of the methods and systems for managing and requests in a network.

As per claim 3, Gupta further discloses "assigning one of multiple lifecycle stages to the created semantic object" (see col. 8, lines 43-46)..

As per claim 4, Gupta further discloses "the multiple lifecycle stages include at least: a draft stage, an active stage, an inactive stage and a deleted stage, further comprising subsequently transitioning the created semantic object from one of the multiple lifecycle stages to another" (i.e., lifecycle of task and transaction characteristics; see col. 8, lines 43-48).

As per claim 5, Gupta discloses "multiple slots, further comprising receiving an input that defines at least one of the slots as required and at least another one of the slots as optional" (i.e., replication (copy); see col. 8, lines 5-11).

As per claim 6, Gupta further discloses 'when the created semantic object is shared with a user, a default rule (i) to share the at least one required slot with the user; and (ii) not to share the at least one optional slot with the user" (see col. 8, lines 48-50).

As per claim 7, Gupta further discloses "receiving a specific designation that the at least one optional slot is to be shared, and sharing the at least one optional slot in response to the specific designation" (see col. 8, lines 5-11).

As per claim 8, Gupta further discloses "receiving a user modification of the created semantic object that changes at least one of the multiple slots as defined in the semantic object type; and storing the received user modification as an extension of the semantic object type" (see col. 7, lines 60-65).

As per claim 9 and 10, Gupta further discloses "storing multiple extensions based on user modifications" (i.e., topology modification by addition or deletion; see col. 7, lines 62-65) and "ranking each slot in the multiple extensions by popularity" (i.e., messages ordering; see col. 8, line 12).

As per claim 11, Gupta further discloses "exchanging information about the ontology using the semantic object" (i.e., ontology is specified by rules; see col. 6, lines 41-45).

As per 12 and 13, Gupta substantially discloses the claimed limitation except extracting at least part of the content from the target referent before inclusion in the created semantic object. However, Kroenke discloses created semantic object (see Kroeke col. 5, lines 29-30). It would have been obvious to a person ordinary skill in the art at the time the invention was to modify the method of Gupta by creating a semantic object disclosed by Kroeke (see Kroeke col. 5, line 26-29). Such a modification would allow the method of Gupta to provide a user to create semantic object data models to represent any kind of information that the user desires to store in a database (see Kroeke col. 5, line 26-29), a user to define a formula interpreted in a way that makes semantic sense to the user (see Kroeke col. 22, lines 52-55), thereby, improving the accuracy of the methods and systems for managing and requests in a network.

As per claims 20 and 21, Gupta further discloses "creating a linking semantic object between the created semantic object and at least another one of the plurality of semantic objects and assigning a confidence value to the link that represents an estimation of the linking semantic object's correctness" (see col. 6, lines 31-45).

As per claims 14-19 and 22-28, the limitations of claims 14-19 and 22-28 are similar to claims 1-13, therefore, the limitations of claims 14-19 and 22-28 are rejected on the analysis, and these claims are rejected on that basis.

*Response to Arguments / Remarks*

Applicant's arguments filed 7/27/2007 have been fully considered but they are not persuasive. Because the 35 101 and 103 rejections of claims .

The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. In re Cortright, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999).

*Prior Art*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Drewry et al., USPN 5,925,100, discloses a client/server method for executing applications with prefetching of semantic objects is as follows: first, the system receives a request from a client to launch an application. The user can click on a hyperlink for launching an interactive application, the application object arrives at the client, its initial task is to bring up the first page or scene of the application. From the dependency list for the first page, the system can determine required objects for displaying the first page. From this, the system requests these objects from the server, once these objects are available at the client, the first page can be rendered or displayed. The prefetch objects for the first page can now be retrieved. For the system-default prefetching, the system determines objects to prefetch based on the previously-coded relationships between pages (see col. 4, lines 48-64).

**CONTACT INFORMATION**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEAN B. FLEURANTIN whose telephone number is 571-272-4035. The examiner can normally be reached on 7:05 to 4:35.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jean Bolte Fleurantin

Patent Examiner  
Technology Center 2100  
August 04, 2007